

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA

v.

JOHNNY RAY SMITH, JR. (1)

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CASE NUMBER 6:21-CR-0066-JDK

**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS  
OF FACT AND RECOMMENDATION ON GUILTY PLEA**

The Court referred this matter to the Honorable K. Nicole Mitchell, United States Magistrate Judge, for administration of a guilty plea under Federal Rule of Criminal Procedure 11. The Magistrate Judge conducted a hearing in the form and manner prescribed by Rule 11 and issued Findings of Fact and Recommendation on Guilty Plea. The Magistrate Judge Recommended that the Court accept Defendant's guilty plea and adjudge Defendant guilty on Count Five of the Indictment.

The parties have not objected to the Magistrate Judge's findings.

The Court hereby **ADOPTS** the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge. The Court also accepts Defendant's plea but defers acceptance of the plea agreement until after review of the presentence report.

In accordance with Defendant's guilty plea, the Court finds Defendant Johnny Ray Smith, Jr. **GUILTY** of Count Five of the Indictment, charging a violation of Title 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute and Distribution of Methamphetamine.

So **ORDERED** and **SIGNED** this **20th** day of **October, 2021**.

  
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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE